**REMARKS** 

With regard to the requirement for restriction which is the only point raised in the

Official Action, Applicant hereby provisionally elects to prosecute Group I, covering claims

1-24, with traverse, and reserves the right to file a divisional application or to take such

other appropriate measures as deemed necessary to protect the invention of Group II.

Applicant believes that claims 25-31 the Examiner deemed to be Group II are so

closely related to claims 1-24, that they should remain in the same application. As grounds

for the traverse, applicant submits that it is easily seen that the process as claimed cannot

be practiced by another materially different apparatus because it is drawn to the steps that

the vibration damper internally performs. Thus, the apparatus as claimed necessarily is

used to practice the method. In support thereof, it should be noted that the parent

application has been prosecuted with claims directed to both, the method of damping and

the torsional vibration damper which constitute a unity from the start of the application.

Since this is a continuation application, such unity should be preserved. The restriction

requirement at this late stage is believed contrary to established Patent Office procedures

and is on its merits believed incorrect.

It is believed that the Examiner is trying to draw too fine a line of distinction and that

when all the various facts are taken into account, all claims on file should be examined on

the merits. In any event, at least Group I and hence claims 1-24 are entitled to action on

the merits.

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Since applicant has fully and completely responded to the Official Action and has

made the required election, this application is now in order for early action on the merits of

claims 1-24.

It is noted that each named inventor of the subject matter of the instant application

contributed at least to one of the claims, presently on file.

A new IDS Form-1449 listing all references from the prior applications are

submitted herewith.

The Commissioner is hereby authorized to charge any fees which may be required

or credit any overpayment to Deposit Account No.06-0502.

Respectfully submitted,

By: ۷

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